IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

WEDNESDAY, THE 31ST OCTOBER 2007 / 9TH KARTHIKA 1929

Crl.Rev.Pet.No. 3716 of 2007()

CRA.372/2007 of SESSIONS COURT, ERNAKULAM
CC.1240/2002 of JUDL.MAGISTRATE OF FIRST CLASS-II, ALUVA

.....

REVN. PETITIONER: APPELLANT/ACCUSED

ANTONY VARGHESE, S/O.A.P.VARGHESE,
ANTHIKKAD HOUSE, ELOOR SOUTH,
UDYOGAMANDAL P.O. ERNAKULAM.

BY ADV. SRI.ABRAHAM MATHEW (VETTOOR)

RESPONDENTS: COMPLAINANT AND STATE OF KERALA

---

1. ABOOBACKER, AGED 65 YEARS,
S/O.MOHAMMUNNI, VEVUKATTU HOUSE,
ELOOR NORTH, UDYOGAMANDAL, ALUPURAM P.O. 683 501.

2. STATE OF KERALA, REPRESENTED BY
PUBLIC PROSECUTOR, ERNAKULAM.

BY PUBLIC PROSECUTOR SRI.K.S.SIVAKUMAR
SRI.C.B.SREEKUMAR

THIS CRIMINAL REVISION PETITION HAVING COME UP FOR ADMISSION ON 31/10/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

Crl. R.P. No. 3716 OF 2007

Dated this the 31st day of October, 2007

O R D E R

The revision petitioner, who was the accused in C.C.No.1240/2002 on the file of the JFCM-II, Aluva for an offence punishable under section 138 of the Negotiable Instruments Act, 1881, challenges the conviction entered and the sentence passed against him concurrently by the trial court for the said offence.

2. Pending this revision, the parties have settled the matter and have filed Crl.M.A.No.11403/2007 under section 147 of the Act for recording the composition entered into by them. The said petition has been signed by both the revision petitioner as well as the complainant and their respective counsels. The composition is recorded and it will have the effect of an acquittal within the meaning of section 320(8) Cr.P.C. Money, if any, paid by the revision petitioner pursuant to orders, if any, passed by the lower appellate court shall be refunded to the revision petitioner.

This revision petition is disposed of as above.

(V. RAMKUMAR, JUDGE)

aks